UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,089	11/14/2003	Joel W. Zdepski	5266-07201	9537

44015 7590 12/09/2004	EXAMINER
OPTV/MEYERTONS	RAO, ANAND SHASHIKANT

	ART UNIT	PAPER NUMBER
THE CHASE BUILDING 700 LAVACA, SUITE 800 AUSTIN, TX 78701	2613	

DATE MAILED: 12/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/06/2004</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Specification

1.   The specification has not been checked to the extent necessary to determine the presence

of all possible minor errors. Applicant's cooperation is requested in correcting any errors of

which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 1-20 rejected under 35 U.S.C. 102(b) as being anticipated by Ryan (US Patent

6,366,617).

Ryan discloses method for repositioning images in a video data stream, said method

comprising: storing encoded video data in a first buffer, said data including the representation

of a first image at a first position in a displayed image (Ryan: column 2, lines 35-40);

determining whether repositioning of the first image to a second position in the displayed

image would result in a change of bit positions of the encoded first image data, said bit

positions being determined with respect to a first number of bits (Ryan: column 3, lines 35-45);

reading said video data from said first buffer (Ryan: column 3, lines 35-37); modifying said

video data to reposition said first image (Ryan: column 3, lines 25-30), modifying said video

data by generating one or more stuffing bits configured to restore said encoded first image data

to said bit positions (Ryan: column 5, lines 60-67; column 6, lines 1-7), in response to

determining said repositioning would result in said change of bits positions (Ryan: column 7,

lines 25-35); coding said stuffing bits such that upon decode said stuffing bits will not

materially affect said displayed image (Ryan: column 7, lines 15-30); and storing said modified

video data in a second buffer (Ryan: column 3, lines 50-63), as in claim 1.

Regarding claims 2-4, Ryan discloses wherein the video data stream is an MPEG-2 data

stream (Ryan: column 6, lines 57-62), the video data stored in the first buffer comprises an

intra-coded P frame and wherein the modified video data in the second buffer is a modified

version of the P frame (Ryan: column 5, lines 50-55), as in the claims.

Regarding claims 5-8, Ryan discloses generating empty slices for slices (Ryan: column

7, lines 43-53) of the modified P frame which do not include the repositioned first image data,

and wherein for each slice of the modified P frame that includes the first image data (Ryan:

column 5, lines 25-32), as specified in claims.

Ryan discloses a device configured to reposition images in a video data stream (Ryan:

figure 1), said device comprising: a storage device configured to store encoded video data, said

data including the representation of a first image at a first position in a displayed image (Ryan:

column 2, lines 35-40); and a repositioning mechanism configured to: determine whether

repositioning of the first image to a second position in the displayed image would result in a

change of bit positions of the encoded first image data, said bit positions being determined with

respect to a first number of bits (Ryan: column 3, lines 35-45); read said video data from said

first buffer (Ryan: column 3, lines 35-37); modify said video data to reposition said first image

to said second position (Ryan: column 3, lines 25-30); modify said video data by generating

one or more stuffing bits configured to restore said encoded first image data to said bit

positions (Ryan: column 5, lines 60-67; column 6, lines 1-7), in response to determining said

repositioning would result in said change of bits positions (Ryan: column 7, lines 25-35); code

said stuffing bits such that upon decode said stuffing bits will not materially affect said

displayed image (Ryan: column 7, lines 15-30); and store said modified video data in a second

buffer (Ryan: column 3, lines 50-63), as in claim 9.

Regarding claims 10-12, Ryan discloses wherein the video data stream is an MPEG-2

data stream (Ryan: column 6, lines 57-62), the video data stored in the first buffer comprises an

intra-coded P frame and wherein the modified video data in the second buffer is a modified

version of the P frame (Ryan: column 5, lines 50-55), as in the claims.

Regarding claims 13-17, Ryan discloses generating empty slices for slices (Ryan:

column 7, lines 43-53) of the modified P frame which do not include the repositioned first

image data, and wherein for each slice of the modified P frame that includes the first image

data (Ryan: column 5, lines 25-32), as specified in claims.

Ryan disclose a carrier medium comprising program instructions, wherein said program

instructions (Ryan: column 2, lines 45-65) are executable to: store encoded video data in a first

buffer, said data including the representation of a first image at a first position in a displayed

image (Ryan: column 2, lines 35-40); determine whether repositioning of the first image to a

second position in the displayed image would result in a change of bit positions of the encoded

first image data, said bit positions being determined with respect to a first number of bits

(Ryan: column 3, lines 35-45); read said video data from said first buffer (Ryan: column 3,

lines 25-30); modify said video data to reposition said first image to said second position

(Ryan: column 5, lines 60-67; column 6, lines 1-7); modify said video data by generating one or more stuffing bits configured to restore said encoded first image data to said bit positions, in response to determining said repositioning would result in said change of bits positions (Ryan: column 7, lines 25-35); code said stuffing bits such that upon decode said stuffing bits will not materially affect said displayed image (Ryan: column 7, lines 15-30); and store said modified video data in a second buffer (Ryan: column 3, lines 50-63), as in claim 18.

Regarding claims 19-20, Ryan discloses wherein the video data stream is an MPEG-2 data stream (Ryan: column 6, lines 57-62), the video data stored in the first buffer comprises an intra-coded P frame and wherein the modified video data in the second buffer is a modified version of the P frame (Ryan: column 5, lines 50-55), as in the claims.

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bayrakeri discloses an efficient algorithm for delivery of server-centric interactive program guide. Ryan discloses a programmable filter for removing stuffing bits from an MPEG-2 bit-stream.

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (703)-305-4813. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S. Kelley can be reached on (703)-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andy S. Rao
Primary Examiner
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asr
December 7, 2004

ANDY RAO
PRIMARY EXAMINER